

means for measuring time and producing an indication if the acknowledging means does not produce an acknowledgement of the receipt of a user message by a determined time,

and

means, responsive to the production of said indication by said means for measuring time, for forwarding the received user message to the activated secondary mobile station of the recipient.

NE  
18. System according to Claim 15, wherein the means for activating a secondary mobile station of the recipient as the receiver of user messages addressed to the primary mobile station comprises means for conducting the activation from the secondary mobile station to be activated.

#### REMARKS

No Claims have been amended, cancelled, or added.

Claims 1 - 18 are in the case.

#### REJECTIONS:

Claims 1, 2, 4 - 6, 8 - 15, 17, and 18 were rejected under 35 U.S.C. § 102(b) as anticipated by the re-applied reference PEPE ET AL (US 5,742,905).

Dependent Claims 3, 7, and 16 were rejected under 35 U.S.C. § 103(a) as obvious and unpatentable over the reference PEPE ET AL (US 5,742,905) in view of the newly-applied reference PEPPER ET AL (US 5,930,700) on the grounds that PEPE discloses all of the claimed features except user messages that are generated on the basis of the notification of calendar events, for which feature PEPPER was offered, and the combination concluded to render the invention as claimed obvious to the art.

#### REPLY:

To begin with, Applicants would like again to emphasize that the invention involves a method and system in which **user messages**,

e.g., Short Message Service (SMS) messages, addressed to a recipient's primary mobile station, that receives both voice calls and such messages, can be directed to any one of the secondary mobile stations of the recipient, e.g., cellular phones, pagers, or PDAs, that receive such messages.

Now, a close reading of the re-applied reference PEPE evidences that it describes a system in which the user can have three types of mobile devices: cellular phone, pager, and PDA. However, to put PEPE's teaching in perspective, it is noted that the filing date of the application is September 19, 1994. Those of skill in the art would appreciate that in 1994 the cellular phone, the pager, and the PDA were quite different devices from those in use today. In particular, the devices of that day could not handle information which was different from the information used by the device, that is, a cellular phone could not handle pager messages, a pager could not handle emails, and a PDA could not handle phone calls. Consequently, it was not possible to redirect the transmitted information among the devices, e.g., incoming calls could not be directed to the PDA, or pager messages to the cellular phone, so that the primary and secondary devices contemplated by PEPE were not capable of receiving "user messages". Thus, it should be seen that the system of PEPE only describes and teaches that a **notification**, not the **message per se**, is sent to another device if the primary device is not operating.

In contrast, with Applicants' invention all of the devices can handle the same kind of information, i.e., user messages, so that a secondary device can be used instead of the primary device to receive the information. Conversion between different information formats is not necessary in the system of Applicants' invention since the user messages have an information format receivable and usable by all of the receiving devices, primary and secondary. In this regard, it appears that PEPE does not disclose that the primary device and the secondary device are similar devices, i.e., pager + pager, PDA + PDA, and cellular phone + cellular phone. Rather, as explained above, PEPE's devices function differently from those of Applicants' invention and as such neither anticipate nor render obvious the combination of devices and steps defined in Applicants' claims.

All of Applicants' independent claims 1, 6, 10, and 15 define that the primary mobile station and the secondary mobile station are capable of (without conversion from one format to another) receiving the same kind of messages, i.e., "user messages". It is therefore submitted that all of Applicants' claims patentably define over the teaching of PEPE, alone or in any combination with the teachings of PEPPER or the other prior art.

Applicants also wish to note that the Examiner has mentioned that the system of PEPE uses a message service (SMS server 46). However, it should be seen from PEPE's Column 6, lines 66 to 67, that the cited SMS is an abbreviation of "service management system", and not an abbreviation of "short message service", with which Applicants' system may be used. The service management system of PEPE is an interface to a service integrator 46, which allows the service provider to update subscriber data and create and modify subscriber profiles. Accordingly, PEPE fails to offer any pertinent teaching in this regard that would anticipate or render obvious, when taken with PEPPER's teaching, the invention claimed by Applicants.

Based on the significant differences delineated above (and dealt with at length in the response to the first Office Action in the parent case) between Applicants' invention, as particularly defined in the claims, and the teaching of PEPE, taken alone or with that of PEPPER, it is submitted that the cited art fails to render any of the Claims 1 - 18 unpatentable under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) so that they all should be allowed.

In summary, then, it is believed that the application is now in complete conformance with the requirements of the statutes and the claims are patentably distinguishable over the prior art, so that a prompt reconsideration and allowance of all of the claims and passage to issue of this application is earnestly solicited and respectfully requested.

Corrected formal drawings to replace the informal drawings filed with the application will be submitted upon allowance.

In the event that any additional fee is required for the entry and consideration of this response, it is authorized and requested that

such fee be deducted from Deposit Account No. 16-1350, and the Amendment be timely entered.

Respectfully submitted,

Thomas P. Dowd

Thomas P. Dowd (Reg. No. 24,586)

October 23, 2001

Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06430  
Customer No.: 2512

Tel. (203) 259-1800  
Fax. (203) 255-5170

CERTIFICATE OF MAILING

I hereby certify that the attached Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Non-Fee Amendment, Washington, DC 20231.

Caum Mason

Name of Person Making Deposit

10/24/01

Date